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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Thirteenth session

SUMMARY RECORD OF THE 256th MEETING

Held at Headquarters, New York,
on Thursday, 3 February 1994 at 10 a.m.

Chairperson: Ms. CORTI

later: Ms. NIKOLAEVA
(Vice-Chairperson)

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The meeting was called to order at 10.55 a.m.

WAYS AND MEANS OF EXPEDITING THE WORK OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN (continued) (CEDAW/C/1994/WG.I/WP.1/Rev.1)

1. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that the Director of the Programme Planning and Budget Division had instructed him to inform the Committee, in connection with Chapter B of document CEDAW/C/1994/WG.I/WP.1/Rev.1 entitled "Adequate meeting time to consider reports of States parties", that the costs of the proposal made therein were estimated at $531,200 for travel and daily subsistence allowance of the Committee members to attend the two sessions and working group meetings during 1995. In connection with the proposal, a provision of $161,700 which could be utilized for partial financing of the above requirements had been made under section 8, Department for Policy Coordination and Sustainable Development, to finance the costs of the regular fourteenth session of the Committee in 1995. A decision by the Committee to recommend to the General Assembly that it authorize the additional meeting time for the Committee would result in additional requirements for the year 1995 in the amount of $369,500 under section 8, Department for Policy Coordination and Sustainable Development, of the programme budget for the biennium 1994-1995.

2. The proposal would also result in additional conference-servicing requirements, which for 1995 had been estimated on a full cost basis in the amount of $1,530,200. Those requirements were based on the assumption that no part of the conference-servicing requirements would be met from within the permanent conference-servicing capacity under section 25 (Administration and Management) of the programme budget for the biennium 1994-1995 and that additional resources would be required for temporary assistance for meetings. The extent to which the Organization's permanent capacity would need to be supplemented by temporary assistance resources could be determined only in the light of the calendar of conferences and meetings for 1994-1995. In accordance with established practice, provision had been made in the programme budget for the biennium 1994-1995 not only for meetings already known at the time of the budget preparation, but also meetings or extensions of such meetings that might be authorized subsequently, based on the pattern that had emerged over the previous five years. On that basis, it was estimated that no additional resources would be required under section 25 of the programme budget for the biennium 1994-1995 in order to accommodate that proposal. The relating appropriation would be requested from the General Assembly in accordance with the procedure for use and operation of the contingency fund established by resolution 42/211. Requirements for the biennium 1996-1997 would be considered in the context of the proposed programme budget for that biennium.

The meeting was suspended at 11.30 a.m. and resumed at 11.50 a.m.

3. Ms. Nikolaeva (Vice-Chairman), took the Chair.

4. The CHAIRPERSON said that the Committee would take up the consideration of the proposed amendment to section A of the report of Working Group I.

5. Ms. KHAN read out the text of the proposed amendment:

"The Committee noted as well, on the basis of its examination of initial and subsequent periodic reports, that in a number of States parties to the Convention, which had ratified or acceded without reservation, certain laws, especially those dealing with family, do not actually conform to the provisions of the Convention.

"Their laws still contain many measures which discriminate against women based on norms, customs and socio-cultural prejudices in certain societies. These States, because of their unspecific situation regarding these articles, make it difficult for the Committee to evaluate their reports properly.

"The Committee requests that those States parties make the necessary efforts to examine the de facto situation relating to the issues and to introduce the required reforms in their national legislation still containing provisions discriminatory to women."

6. Ms. TALLAWY said that she had difficulty with introducing an issue unrelated to reservations in that section of the report, as it would weaken the Committee's position in its recommendation on reservations if it criticized Governments which had not made any reservations to the Convention. That issue should be addressed in a separate recommendation on incompatibility of legislation with the implementation of the Convention.

7. Ms. SCHOPP-SCHILLING agreed that the issue of countries which did not make reservations but did not implement the Convention was very important, and must be discussed separately. She did not favour including any such text at the current stage of discussion.

8. Ms. AYKOR said that, since most reservations were made on articles 9, 15 and 16, a more appropriate location for the proposed amendment might be in the general recommendations on those articles. The Committee congratulated States parties which adopted the Convention without reservation, which seemed unfair to those countries with sincere reservations. Where national legislation did not conform to the provisions of the Convention, the Committee often urged the States concerned to change their national law. However, States parties which had ratified the Convention without reservations saw no reason to change their national legislation, and often referred to tradition and custom to justify their stance vis-à-vis women's rights.

9. Ms. AOUIJ said that the main purpose of the proposed amendment was to convey to States parties the message that the Committee was vigilant about women's human rights and to draw their attention to problems in the implementation of the Convention. In some cases, second and even third periodic reports indicated that little progress had been achieved in national legislation in areas concerning women's rights, but if there were no reservations, there could be no uncomfortable questions. The main issue was one of transparency on the part of States parties.

10. The CHAIRPERSON said that she would take it that the Committee wished to consider the proposed amendment with the general recommendations on article 16. Since it would not be included in the report of Working Group I, she would take it that the Committee wished to adopt that report.

11. Document CEDAW/C/1994/WG.1/WP.1/Rev.1 was adopted.

12. Ms. SINEGIORGIS said that the amended text introduced by Ms. Khan had been further amended to read:

> "The Committee noted as well, on the basis of its examination of initial and subsequent periodic reports, that in some States parties to the Convention, which had ratified or acceded without reservation, certain laws, especially those dealing with the family, do not actually conform to the provisions of the Convention.
>
> "Their laws still contain many measures which discriminate against women based on norms, customs and socio-cultural prejudices. These States, because of their unspecific situation regarding these articles, make it difficult for the Committee to evaluate and understand the status of women.
>
> "The Committee appeals to those States parties to make the necessary efforts to examine the de facto situation relating to the issues and to introduce the required measures in their national legislations still containing provisions discriminatory to women."

13. Ms. SCHOPP-SCHILLING said that reference should be made to articles 1 and 2 of the Convention, and that the first part of the final paragraph should be amended to read: "The Committee, on the basis of articles 1 and 2 of the Convention on the Elimination of All Forms of Discrimination against Women, appeals to States parties ...".

14. Ms. UKEJE said that in that same sentence the words "in particular" should be inserted immediately after "The Committee".

15. The CHAIRPERSON said that she would take it that the Committee wished to adopt the text, as orally amended.

16. It was so decided.

17. The CHAIRPERSON said that she would take it that the Committee wished to include the text in the general recommendations under the section dealing with article 16.

18. It was so decided.

19. Ms. SCHOPP-SCHILLING said that her preference had been for the text to appear as a separate recommendation, and not under the recommendations dealing with article 16.

20. Ms. AOUIJ said that the text did not constitute a whole recommendation and that, as a compromise, it was acceptable for it to appear under article 16.

21. Ms. SINEGIORGIS agreed that the text should appear as a separate recommendation.

22. Ms. GARCIA-PRINCE said that inclusion of the text under article 16 was an acceptable compromise.

23. The CHAIRPERSON said that the Committee had already adopted the text and determined where it should appear, and that it would take note of Ms. Schopp-Schilling's objection.

The meeting rose at 12.55 p.m.